

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

The State of Texas, et al.,

Plaintiffs,

v.

Google LLC,

Defendants.

Case No. 4:20-cv-00957-SDJ

Hon. Sean D. Jordan

Special Master: David T. Moran

UNOPPOSED MOTION TO FILE UNDER SEAL

Plaintiff States (“States”) respectfully move the Court for leave to file under seal **Exhibits A and D** (including Exhibit 1 to Exhibit A¹) (the “Confidential Exhibits”) to their Opening Brief to the Special Master for the March 7, 2024 Hearing. Consistent with Local Rule CV-5, the States will file redacted versions of the Confidential Exhibits within seven (7) days. Defendant Google LLC (“Google”) does not oppose the States’ sealing request.

The Confidential Exhibits contain references to and discussion of documents produced by Google that have been designated as “Confidential,” as well as names of Google employees that Google has requested be kept confidential.

Although “the public has a common law right to inspect and copy judicial records,” courts “must balance the public’s common law right of access against the interests favoring nondisclosure.” *S.E.C. v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993) (citations omitted). Good cause to allow sealing exists here, where the Confidential Exhibits contain references to and discussion of materials that have been designated as “Confidential” by another party.

¹ Due to their format and size, the States have not filed Exhibits 2 and 3 to Exhibit A.

For the reasons stated above, the States respectfully request that this Court allow the States to file the Confidential Exhibits under seal.

Dated: February 27, 2024.

Respectfully submitted,

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Submitted on behalf of all Plaintiff States

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CERTIFICATION OF CONFERENCE

I certify that counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and that Google LLC does not oppose the foregoing sealing request.

/s/ W. Mark Lanier

W. Mark Lanier

CERTIFICATE OF SERVICE

I certify that on February 27, 2024, this document was filed electronically in compliance with Local Rule CV-5(a) and served on all counsel who have consented to electronic service, per Local Rule CV-5(a)(3)(A).

/s/ W. Mark Lanier

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